

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

§

§

No.11-33029-H1-13

§

Brian Darnell

§

Chapter 13

§

DEBTORS

§

§

**DEBTORS' RESPONSE TO
TRUSTEE'S MOTION TO DISMISS**

Debtor(s), Brian Darnell, by and through attorney of record, Michael G. Busby, Jr., hereby requests a hearing be held regarding the Trustee's Motion to Dismiss.

1. Debtor(s) admits to the allegations contained in paragraph 1.
2. However, by the Hearing date, the Debtor(s) will have provided all necessary information to the Trustee's office. Additionally, the Debtor(s) are on wage order and will be current with the Trustee payments by the Hearing date.

WHEREFORE, Debtor(s), Brian Darnell, pray(s) that the Trustee's Motion to Dismiss be denied and for such other and further relief to which Debtor(s) may show himself to be justly entitled.

Respectfully Submitted,

MICHAEL G. BUSBY, JR.

/s/ Michael G. Busby, Jr.

Michael G. Busby, Jr.
State Bar No.24036294
2909 Hillcroft, Ste 350
Houston, TX 77057
Phone: (713) 974-1151
Fax: (713) 974-1181

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the ANSWER TO TRUSTEE'S MOTION TO DISMISS was either electronically served via ECF Noticing or mailed via U.S. Mail, postage prepaid, first class mail to the following parties listed below on June 16, 2011.

/s/ Michael G. Busby, Jr.
Michael G. Busby, Jr.
ATTORNEY FOR DEBTOR

U.S. Trustee
515 Rusk, #3516
Houston, TX 77002

David G. Peake
Chapter 13 Trustee
9660 Hillcroft, Suite 430
Houston, Texas 77096

Brian Darnell
513 Misty Lane
Friendswood, TX 77546

**UNITED STATES BANKRUPTCY COURT
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| Darnell, Brian | § | |
| | § | Chapter 13 |
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| DEBTOR(S) | § | |

ORDER DENYING TRUSTEE'S MOTION TO DISMISS

The Court has considered the Motion, the Response thereto, and the arguments of counsel and finds that Trustee's Motion is without merit, it is therefore Ordered, Adjudged, and Decreed that the Motion To Dismiss is in all things denied.

Date

UNITED STATES BANKRUPTCY JUDGE